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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

☐ Responsive to communication(s) filed on _____

☐ This action is **FINAL.**

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire _____3___ month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claim

☒ Claim(s) *1-30* _____ is/are pending in the applicat

Of the above, claim(s) _____ is/are withdrawn from consideration

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) *1-30* _____ is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☒ None of the CERTIFIED copies of the priority documents have been

☒ received.

☐ received in Application No. (Series Code/Serial Number) _____ .

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____4___

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

DETAILED ACTION

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> *A person shall be entitled to a patent unless --*
>
> *(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.*

2.   Claims 1-7, 10-24 and 28-30 are rejected under 35 U.S.C. 102(e) as being anticipated by anticipated by Young et al. (U.S. Patent No. 5,727,060).

Regarding claim 1, Young et al (or "Young" hereinafter) teach a method of displaying a program progress time on a picture tube of a TV receiver (Fig. 10/item 72) which receives and processes program guide information containing a program schedule (col. 1/lines 20-30), comprising the steps of:

(a) storing the program guide information, i.e., to a schedule memory (Fig. 22A/item 232);

(b) setting a command of the TV receiver which is commonly usable by a user as a display command to display time information about a currently viewed program on the picture tube, i.e., a program with the display time information, the display time information such as the running time

or the elapsed time are displayed on demand for the user (as in Figs. 6 & 10 and col. 8/lines 45-65); and

© displaying the time information about the currently viewed program on the picture tube when the user issues the display command set in said step (b), i.e, user uses a Select command for displaying the information (col. 8/line 66-col. 9/line 10).

As for claim 2, the step of "further comprising the step of displaying the time information together with the currently viewed program on the picture tube" is suggested by Young as Young reveals that the display time information can be displayed on demand for the user on the overlay 52 (Fig. 10 and col. 8/lines 46-65).

As for claims 3 and 4, the steps of "wherein the time information is a program terminating time of the currently viewed program" and "wherein the time information further comprises a beginning time and a current time with respect to the currently viewed program" are taught by Young as Young suggests that the elapsed time, which means the starting time and the terminating time, is included in the overlay 52 (col. 8/lines 60).

Concerning claims 5 and 6, Young also suggests the step of "wherein the time information includes the program progress time determined by subtracting the beginning time from the current time" and "wherein the time information further comprises a remaining program time determined by subtracting the current time from the program terminating time" as Young discloses a progressing bar for indicating the elapsed time of the currently playing program from the start until the end (Fig. 6/item 72).

As for claim 7, Young teaches to "further comprising the step of displaying next program information when the remaining program time reaches to a preset time" as Young discloses a "What's Next on TV" guide on the current viewing channel for the user (as in Fig. 7 and col. 9/line 65-col. 10/line 20).

As for claims 10 Young also teaches "wherein the commonly usable command of the TV receiver is a command for a channel up/down" because the program note including the progressing time is in the overlay portion, and when the user sends the command by pressing the channel up/down, the overlay portion will display its content correspond to the up/down channel (see Fig. 11 for setting up the program note; Fig. 21/items 136 for controlling up/down channel and col. 8/lines 46-65 for how to use the program note).

As for claim 11, the step of "wherein the commonly usable command of the TV receiver is a command for a remote controller event" is taught by Young (see 22B/item 212).

Concerning claim 12, Young also reveals to "further comprising the step of judging that the command for displaying the program progress time is issued by the user so as to display the program progress time at a preset time set by the user prior to a program terminating time of the currently viewed program" as the user can activate or deactivate, i.e., by toggling On or OFF, the program note including the progress time bar (col. 9/line 1) and by setting up the preset time period in the menu for the starting time and the terminating time as desired (Fig. 25 and col. 24/lines 3-13).

Regarding claims 13-16, these method claims are rejected for the reasons given in the scope of claims 1-7 as already disclosed above.

Regarding claim 17, Young teaches a method of displaying a program progress time of a currently viewed program of a television (TV) receiver (Fig. 10), the method comprising the steps of: receiving program guide information including a program schedule having the currently viewed program (Fig. 10/item 70 for the program guide information); and displaying the program progress time of the currently viewed program in response to a command from a user to perform a function other than displaying the program progress time upon receipt of the command, i.e., the user set the display notes ON, not the program progress time, but the display is included the status of the program progress time (col. 6/lines 46-65).

As for claims 18 and 29, the steps of "wherein the command is one of an activating a channel up/down key, determining an occurrence of a remote controller event, and setting of a preset time prior to a program termination of the currently viewed program" and "wherein the command is one of an activating a channel up/down key, determining an occurrence of a remote controller event, and setting of a preset time prior to a program termination of the currently viewed program" are rejected for the reasons given in the scope of claims 10-12 as already disclosed above.

As for claim 19, Young teaches "wherein said displaying step comprises the step of simultaneously displaying the program progress time and the currently viewed program" (Fig. 10).

Regarding claim 20, the steps of "generating a setup display for the user to designate ones of a plurality of commands to function as the command to perform the function other than displaying the program progress time upon receipt of the command" and "receiving inputs from the user designating the ones of the plurality of the commands to function as the command to perform the function other than displaying the program progress time upon receipt of the command" are taught by Young as Young indicates other functions for the user to command such as What's On TV, What's on Tape, Recordings, Themes and etc. (Figs. 4, 7-8, 11, 13).

As for claims 21 and 30, the step of "displaying next program information of a next program on a same channel as the currently viewed program at the preset time prior to the program termination of the currently viewed program" is taught by Young (Fig. 6/item 52 and Fig. 7)

As for claim 22, the steps of "generating a setup display for the user to designate ones of a plurality of commands to function as the command to perform the function other than displaying the program progress time upon receipt of the command, wherein a one of the plurality of commands is to display the program progress time at a preset time prior to a program termination of the currently viewed program, and for the user to designate another command to display next program information on a same channel as the currently viewed program at the preset time; receiving inputs from the user designating whether the ones of the plurality of the commands are to function as the command to perform the function other than displaying the program progress time upon receipt of the command; and displaying the next program information at the preset time

if the first and the another commands are set by the user positively" is suggested by Young as Young allows users to set up the start time and end time of the program(s) and the displaying of the program notes including the program progress time (Fig. 25, col. 8/lines 46-65 and col. 23/line 60 - col.24/line 13).

As for claims 23 and 24, Young teaches "wherein the program progress time includes a program beginning time, a current time, and a program termination time of the currently viewed program" as Young reveals to include the running time of a program, and the current time as shown on the status bar (col. 8/lines 59-60 and Fig. 10/item 62); and "wherein the program progress time further includes a channel number, a name of a broadcast station and a title of the currently viewed program", i.e., Cosby Show (Title) is currently broadcasting on channel 2 (channel number) and by KNTV-FOX (name of a broadcast station) (Fig. 10).

Regarding claim 28, Young teaches a device for displaying a program progress time, comprising: a receiving unit to receive a TV program and a TV program guide containing a program schedule which includes information on the TV program (Figs. 22A & 22B); a user interface to enable entry of a command from a user requesting display of the program progress time (Fig. 22B/item 212); an audio output unit to generate an audio signal of the TV program , i.e., TV program is played at the TV monitor using cable decoder and tuner (Fig. 22A); a processor to produce On-Screen-Graphic data for displaying the program progress time in response to the command from the user and based upon the program schedule (col. 8/lines 45-65 and Fig. 10/item 72); a video output unit to mix video data of the TV program and On-Screen-

Graphic data of the TV program, to output a resulting signal; and a display to display the resulting

signal (Fig. 22A/at items 224 7 226 to provide outputs to item 210).

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness

rejections set forth in this Office action:

> *(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.*

4.   Claims 8-9 and 25-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Young et al. (U.S. Patent No. 5,727,060) in view of Jennings, Jr. et al (U.S. Patent No.

5,542,088).

Regarding claims 8-9 and 25-27, Young suggests to include a percentage calibrated time

bar for indicating the percentage of the progressive program (as in Fig. 10/item 72 and col.

10/lines 27-35), but not clearly includes a percentage number as "wherein the time information

further comprises a percentage of the program progress time as compared with a total program

broadcasting time calculated by subtracting the beginning time from the program terminating

time"; "wherein the time information further comprises a percentage of the remaining program

time as compared with the total program broadcasting time"; "wherein said displaying step

comprises the step of displaying the beginning time at a start of a display bar, the program termination time at end of the display bar, and the current time at a position of the display bar corresponding to a percentage of time elapsed versus a total time of the currently viewed program; wherein said displaying step further comprises the step of displaying a first percentage number of the time elapsed and a second percentage number of a time remaining versus the total time of the currently viewed program" and "wherein the command is to display the program progress time automatically at a preset time prior to a program termination of the currently viewed program"; however, the technique of displaying a progressive time bar together with the percentage numbers of indicating how much percentage of the program is completed and the setting of a function to perform at a preset time is known in the art. In fact, Jennings et al (or "Jennings" hereinafter) disclose a same technique of displaying a status bar with its percentage numbers for indicating how many percentage of the program is completed (Jennings, Fig. 2 and col. 6/lines 20-26). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Young's suggested percentage calibrated time bar with Jennings' percentage numbers next to that progressive time bar in order to clearly indicate how many percent of the program is being completed. The motivation for doing this is to offer a clear and precise visual notification to users about the currently viewing program being broadcasted as well as the remaining time of that program in terms of percentage numbers instead of an estimation as taught by Young's progressive calibrated time bar.

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Conclusion

5.   The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure.

Hendricks et al (US Patent 5,734,853) disclose a set top terminal for cable TV delivery system.

Skarbo et al (US Patent 5,764,9010 disclose a record and playback in a data conference.

Davis et al (US Patent 5,822,123) disclose an electronic TV program guide scheduling system and

method with pop-up hints.

Noguchi et al (US Patent 6,034,677) disclose method and apparatus for displaying electronic

program guide.

6.   **Any response to this action should be mailed to:**

            Commissioner of Patents and Trademarks
            Washington, D.C. 20231

or faxed to:
            (703) 308-6306 or (703) 308-6296, (for formal communications intended for
            entry)

Or:
            (703) 308-5399, (for informal or draft communications, please label
            "PROPOSED" or "DRAFT").

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington. VA., Sixth Floor (Receptionist).

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7.   Any inquiry concerning this communication or earlier communications from the examiner

should be directed to Krista Kieu-Oanh Bui whose telephone number is (703) 305-0095. The

examiner can normally be reached on Monday-Thursday (1st week of a bi-week) and Monday-

Friday (2nd week of a bi-week) from 9:00 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor,

Andrew Faile, can be reached on (703) 305-4380.

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the Group receptionist whose telephone number is (703) 305-3900.

ANDREW I. FAILE
SUPERVISORY PATENT EXAMINER
GROUP 2700

Krista Bui
Art Unit 2711
September 14, 2000